

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying printed matter described above were false and misleading. The statements and designs represented and suggested that the device was an adequate and effective treatment for asthma, diabetes, arthritis, high blood pressure, low blood pressure, kidney disorders, neuritis, colitis, prolapse of the rectum and sigmoid, spastic colitis, ulcerative colitis, ptosis of the colon, spasticity of the rectum, extreme ulceration of the lower bowel, common cold, sinusitis, dysentery, flaccid condition of the sphincters, amebic dysentery, heart conditions, hay fever, acute coryza, anemia, epilepsy, toxemias of pregnancy, and infections and inflammations of the female reproductive organs; that the device was an excellent treatment following childbirth to return muscle tone; that it would eliminate distress and disease; and that it would correct chronic ailments or pathological changes and bring about a restoration of health. The device was not an adequate and effective treatment for such disease conditions, and it was not capable of fulfilling the promises of benefit made for it.

Further misbranding, Section 502 (j), the article was dangerous to health when used with the frequency and duration prescribed, recommended, and suggested in its labeling since in the post partum period and in the acute stages of vaginal infections, treatment as directed would force infective material into or through the cervical canal, resulting in ascending infection with probable serious consequences to the health of the patient.

The device was misbranded in the above respects when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: November 20, 1951. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS*

3583. Misbranding of C. M. A. Formula B.-88, C. M. A. Formula K & B 55, Hancock's Formula No. 4, C. M. A. Formula S.-99, C. M. A. Formula S.L.-22, C. M. A. Old Style Indian Herb Medicine #10, and sugar tablets, and refusal to permit inspection. U. S. v. Coordinative Medicines Assn., Inc. (C. M. A., Hancock Medicine Co., and Christian Mutual Assn.), and Robert E. Davis and Carrie Davis. Pleas of not guilty. Tried to the court. Verdict of guilty. Corporation fined \$800, Robert E. Davis, \$1,000, and Carrie Davis, \$400. Robert E. Davis and Carrie Davis each sentenced to 2 years in prison; prison sentences suspended and each individual defendant placed on probation for 3 years. (F. D. C. No. 30027. Sample Nos. 51990-K, 51992-K, 54535-K, 54536-K, 54542-K to 54545-K, incl.)

INFORMATION FILED: February 9, 1951, Southern District of Indiana, against Coordinative Medicines Assn., Inc., Indianapolis, Ind., also trading under the names of C. M. A., Hancock Medicine Co., and Christian Mutual Assn., and against Robert E. Davis, president, and Carrie Davis, secretary-treasurer of the corporation.

ALLEGED VIOLATION: Between November 1949 and on or about March 2, 1950, the defendants caused to be introduced into interstate commerce at Indianapolis, Ind., for delivery into the States of Ohio, Mississippi, and Alabama,

*See also No. 3581 (human and veterinary use).